

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:14-CT-3079-FL

WILLIAM C. CARAWAN, JR.,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
JOHN MCLARTY, RONALD MAYES,)	
C/O SLEDGE, NATHANIAL)	
BUCHANAN, C/O DEMBOWSKI, C/O)	
ALSTON, MR. MOBLEY, SERGEANT)	
MINTZER, SERGEANT HARRIS,)	
SERGEANT GARDNER, PATRICIA)	
ALSTON, OFFICER GILL, OFFICER)	
HARGROVE, OFFICER JONES,)	
OFFICER LYNCH, OFFICER)	
MOSELEY, and OFFICER)	
SHANKWEILER,)	
)	
Defendants.)	

The matter comes before the court on plaintiff's "Motion to Have Documents From Another Case Merged to the Case File of This Case" (DE 64), motion for return of original documents (DE 67), and motion for an extension of time (DE 68). Defendants responded to plaintiff's "Motion to Have Documents From Another Case Merged to the Case File of This Case[,] but did not respond to plaintiff's remaining motions.

A. "Motion to Have Documents From Another Case Merged to the Case File of This Case"

Plaintiff seeks to have various documents he filed in another case Carawan v. Kornegay, No. 5:13-CT-3244 (E.D.N.C. July 7, 2014), filed in this action. Plaintiff, however, does not indicate why the documents from his prior action should be merged into this case or how the documents are relevant to this action. Further, there is no pending substantive motion requiring evidentiary support at this time. Thus, plaintiff's motion is DENIED. Plaintiff is cautioned that any evidentiary material for which he seeks the court's consideration must be submitted only in support of a properly filed motion for summary judgment.

B. Motion for Copies

Plaintiff requests that the court return to him the original documents he filed as Exhibits D09 and D10. See (DE 63, 65). This court's electronic filing policy provides that "[a]ny document electronically filed or converted by the United States District Court for the Eastern District of North Carolina (clerk's office) to electronic format shall be the official record of the court." EDNC CM/ECF Policy Manual, Section A. Accordingly, the court GRANTS plaintiff's motion.

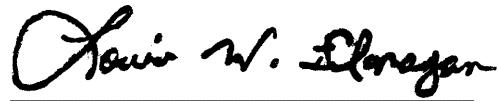
C. Motion for an Extension of Time

Plaintiff requests an extension of time to respond to defendants' answer to plaintiff's amended complaint. Federal Rule of Civil Procedure 7(a), provides that a reply to an answer is permitted only "if the court orders one[.]". The court has not ordered plaintiff to file a reply to defendants' answer to plaintiff's amended complaint and the court does not deem such a filing appropriate in this action. Thus, plaintiff's motion is DENIED.

In summary, plaintiff's "Motion to Have Documents From Another Case Merged to the Case File of This Case" (DE 64) and motion for an extension of time (DE 68) are DENIED. Plaintiff's

motion for return of original documents (DE 67) is GRANTED, and the clerk of court is DIRECTED to return to plaintiff's exhibits D09 and D10 which are contained in (DE 63, 65).

SO ORDERED, this the 12th day of August, 2015.



LOUISE W. FLANAGAN
United States District Judge